

## SENATE BILL NO. 80

INTRODUCED BY L. LARSON

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SIGNATURE GATHERERS FOR BALLOT ISSUES OR CANDIDATE NOMINATION PETITIONS TO IDENTIFY THEMSELVES BY FIRST NAME OR INITIALS AND STATE WHILE GATHERING SIGNATURES; SPECIFYING THAT A SIGNATURE GATHERER INCLUDE THE STATE WITH THE ADDRESS ON CERTIFICATION FORMS; AND AMENDING SECTIONS 13-27-111, 13-27-302, AND 13-27-304, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Signature gatherer identification.** (1) When gathering signatures for a petition on a ballot issue or for a candidate nomination, a signature gatherer may wear a badge that provides the following information:

(a) the signature gatherer's first name or initials for either first and last names or first and middle names; and

(b) the state of the signature gatherer's personal residence for the 6 months preceding the gathering of signatures.

(2) A signature gatherer who is not a paid signature gatherer may include the word "volunteer" on the badge.

**Section 2.** Section 13-27-111, MCA, is amended to read:

**"13-27-111. Definitions.** ~~As used in 13-27-112, 13-27-113, and this section,~~ (1) Except as provided in subsection (2), as used in this chapter, the following definitions apply, unless otherwise indicated by the context; ~~the following definitions apply:~~

~~(1)~~(a) "Address" means the residence or post-office address, city, and state.

~~(b)~~ "Commissioner" means the commissioner of political practices provided for in 13-37-102.

~~(2)~~(c) "Paid signature gatherer" means a signature gatherer who is compensated in money for the collection of signatures.

~~(3)~~ "Person" has the meaning provided in 13-1-101, but does not include a candidate and includes a

1 ~~political committee.~~

2 ~~(4)(d)~~ "Signature gatherer" means an individual who collects signatures on a petition for the purpose of  
3 an initiative, a referendum, or the calling of a constitutional convention.

4 (2) As used in 13-27-112, "person" has the meaning provided in 13-1-101, but does not include a  
5 candidate and includes a political committee."

6  
7 **Section 3.** Section 13-27-302, MCA, is amended to read:

8 **"13-27-302. Certification of signatures.** (1) An affidavit, in substantially the following form, must be  
9 attached to each sheet or section submitted to the county official:

10 I, (name of person who is the signature gatherer), swear that I gathered or assisted in gathering the  
11 signatures on the petition to which this affidavit is attached on the stated dates, that I believe the signatures on  
12 the petition are genuine, are the signatures of the persons whose names they purport to be, and are the  
13 signatures of Montana electors who are registered at the address or have the telephone number following the  
14 person's signature, and that the signers knew the contents of the petition before signing the petition.

15 \_\_\_\_\_  
16 (date Date on which the first signature was gathered)

17 \_\_\_\_\_  
18 (Signature of petition signature gatherer)

19 \_\_\_\_\_  
20 (Address of petition signature gatherer)

21 Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

22 Seal

23 \_\_\_\_\_  
24 (Person authorized to take oaths)

25 \_\_\_\_\_  
26 (Title or notarial information)

27 (2) For purposes of this section, "name" means the true first name and last name, or initials for the first  
28 name and middle name, along with the full last name.

29 (3) The address of the petition signature gatherer required in subsection (1) must include the signature  
30 gatherer's state or states of residence where the signature gatherer lived in the most recent 6 months before  
gathering signatures."

**Section 4.** Section 13-27-304, MCA, is amended to read:

**"13-27-304. County official to forward verified sheets.** The county official verifying the number of registered electors signing the petition shall forward it to the secretary of state by certified mail with a certificate in substantially the following form attached:

To the Honorable \_\_\_\_\_, Secretary of State of the state of Montana:

I, \_\_\_\_\_, \_\_\_\_\_ (title) of the County of \_\_\_\_\_, certify that I have examined the attached (section containing \_\_\_\_ sheets) or (\_\_\_\_ sheets) of the petition for (referendum, initiative, constitutional convention, or constitutional amendment) No. \_\_\_\_ in the manner prescribed by law; and I believe that \_\_\_\_ (number) signatures in (Legislative Representative District No. \_\_\_\_ or the County of \_\_\_\_ ) (repeat for each district or county included in sheet or section) are valid; and I further certify that the completed affidavit of the ~~circulator~~ signature gatherer of the (sheet) (section) of the petition is attached and the post-office address, residence address, or telephone number is completed for each valid signature.

Signed: \_\_\_\_\_ (Date) \_\_\_\_\_ (Signature)

Seal \_\_\_\_\_ (Title)"

NEW SECTION. **Section 5. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 13, chapter 27, part 1, and the provisions of Title 13, chapter 27, part 1, apply to [section 1].

NEW SECTION. **Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

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